

**BEFORE THE FLORIDA  
JUDICIAL QUALIFICATIONS COMMISSION**

**INQUIRY CONCERNING A  
JUDGE, NO. 01-244  
CHARLES W. COPE**

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**CASE NO.: SC01-2670**

**RESPONDENT'S RESPONSE TO SPECIAL COUNSEL'S  
MOTION TO COMPEL ANSWERS TO THIRD SET OF INTERROGATORIES**

**COMES NOW**, the Respondent, by and through undersigned counsel and hereby files this response to Special Counsel's motion to compel answers to third set of interrogatories, and in support thereof states:

1. Special Counsel served his third set of interrogatories on April 16, 2002.
2. Prior to serving such interrogatories, Special Counsel had already served two sets of interrogatories on Respondent which exceeded 30 including subparts.
3. In serving his third set of interrogatories, Special Counsel failed to comply with Florida Rule of Civil Procedure 1.340, in that the interrogatories served exceed 100 including all subparts, and Special Counsel did not obtain an order from this Court upon motion, notice and showing of good cause permitting the service of such interrogatories.

**WHEREFORE**, Respondent requests that Special Counsel's motion to compel answers to third set of interrogatories be denied on the ground that Special Counsel has not complied with the governing rule.

Respectfully submitted,

**ROBERT W. MERKLE, ESQ.**

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via facsimile and U.S. Mail to: **Judge James R. Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3<sup>rd</sup> District Court of Appeal, 2001 S.W. 117<sup>th</sup> Avenue, Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida 32302; **John S. Mills, Esq.**, Special Counsel, Foley & Laudner, 200 Laura Street, Jacksonville, Florida 32201-0240; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee,

Florida 32303; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602, **Louis Kwall, Esq.**, Co-Counsel for Respondent, 133 North Ft. Harrison Avenue, Clearwater, Florida 33755; this 3<sup>rd</sup> day of June, 2002.

**ROBERT W. MERKLE, ESQ.**